To: Comprehensive Planning Committee

From: Sarah Zorn, PED

Date: January 12, 2011

Re: Summary of 1/11/11 Comprehensive Planning Committee meeting

Members of the committee agreed to meet at **3:30 p.m. on Tuesday, January 18, 2011** so as not to overlap with the Planning Commission social, which is scheduled to begin at 5 p.m.

Donna Drummond began by recapping decisions previously made by the committee in regards to auto uses and changes to the zoning map. A new map was presented to the group showing changes suggested by the committee and changes staff felt were appropriate and addressed concerns brought up at the public hearing. The map shows both the current proposed zoning and the status of nonconforming uses given the committee's suggested changes.

## **Auto Uses**

Committee members had agreed that auto uses (auto body, auto repair, auto specialty) should not become nonconforming with the zoning change. Staff will craft a Bonfe-type amendment to reflect this. Such an amendment would ensure that the aforementioned auto uses would remain conforming, but would prevent new auto uses from locating in the traditional neighborhood districts in the corridor. The new map shows auto body, auto repair and auto specialty as conforming, and auto rental, auto sales and drive-through uses as nonconforming in traditional neighborhood districts. The committee agreed that those businesses wanting to change from one auto use to another should be permitted to do so as long as the change resulted in the use becoming more conforming (Allan Torstenson will work on language for the committee to review).

The group discussed drive-through uses relative to their becoming nonconforming under the zoning change. Drive-through uses are listed as a separate use in the code and would not be permitted in T3 and T4 zones, and adjacent to station platforms in T2. The associated restaurant, pharmacy or bank use would be considered conforming and could expand under the provisions of the new zoning district. Peter Warner of the City Attorney's Office determined that because the drive-though would be considered nonconforming, the use could be rebuilt or moved on the site so long as it didn't become more nonconforming as to number of menu boards, length of stacking lanes, distance from residences, etc. This would allow sites/uses to be redeveloped or expand but would allow the businesses to maintain the drive-though use.

## **Property Rezonings**

The group discussed and agreed to the following:

- Area west of 280 and south of University should remain a mixture of T3 and T4 as shown on the map.
- KSTP site should remain I1 so as not to make it nonconforming or inconsistent with the portion of the site located in Minneapolis.
- Properties owned by Rock Tenn were removed from the area considered for rezoning.

- The line between IR and I1 zoning at Transfer and University was shifted west to include property owned by Rhim trucking and Minnesota Mosquito Control in the I1 zone where the uses would remain conforming. This area is the farthest from a station area and will likely take longer to redevelop so it makes sense to limit the amount of rezoning. If a property owner was interested in rezoning the policy is in place to recommend approval.
- Area south of University between Fairview and Prior should be T3 rather than T4. Public hearing testimony indicated a concern about taller buildings so close to lower density residential neighborhoods. The committee felt it was appropriate to rezone to T3 until a proposal is received that requires T4 zoning.
- Iris Park will remain RM2 and will not be rezoned.

The new map generally reflects the desires of both Chambers and the Port to limit the conversion of industrial districts to traditional neighborhood districts more than one block off of University, with the exception of the area closer to 280.

## **Nonconforming Use Status**

Staff went over the information received from lending institutions regarding their perception of nonconforming use status and associated concerns. Committee members were interested in finding out more information about the perception of nonconforming uses from the standpoint of the County Assessor, the business owner/borrower, and marketing and property sales. Staff will determine what additional information may be available.

## **Future Discussion**

Staff continues to work on gathering information about jobs per acre on select sites in the West Midway Industrial Area and will send something out later this week for the committee to discuss at the next meeting.

Topics noted on the agenda for this meeting will also be addressed over the course of the next couple of meetings.